

APR 10 2015

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

GLENN CALVIN LAWHORN, JR.,
Plaintiff,

v.

HAROLD W. CLARKE, et al.,
Defendants.

Civil Action No. 7:14-cv-00437

MEMORANDUM OPINION

By: Hon. Jackson L. Kiser
Senior United States District Judge

Glenn Calvin Lawhorn, Jr., a Virginia inmate proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff did not submit payment of the filing fee with his complaint. See 28 U.S.C. § 1914(a). In Lawhorn v. Angelone, No. 98-6448, the Court of Appeals for the Fourth Circuit determined that Plaintiff is a “three striker” under 28 U.S.C. § 1915(g), and Plaintiff has since received further notice of his “three striker” status. See, e.g., Lawhorn v. Ayers, No. 11-6870 (4th Cir. Sept. 15, 2011) (order denying leave to proceed without prepayment of fee pursuant to § 1915(g) and requiring prepayment in full of appeal fee); Lawhorn v. Ayers, No. 7:11-cv-00114, slip op. (W.D. Va. June 28, 2011) (dismissing action due to Plaintiff’s failure to prepay the filing fee despite prior notice of “three striker” status). After reviewing Plaintiff’s submissions in this action, it is clear that Plaintiff does not allege any facts indicating that he is currently under any imminent danger of serious physical injury within the meaning of 28 U.S.C. § 1915(g). Based on the foregoing, I must dismiss the action without prejudice.

ENTER: This 10th day of April, 2015.


Senior United States District Judge